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Security Council

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GENERAL

S/1996/513
2 July 1996
ENGLISH
ORIGINAL: ARABIC/ENGLISH

LETTER DATED 2 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF THE SUDAN TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Further to my letter and its enclosures to you of 24 June 1996, circulated as Security Council document S/1996/464, I have the honour to enclose the following documents:

(a) A letter from the State Minister for Foreign Affairs of Afghanistan to the State Minister for Foreign Relations of the Sudan regarding the information available to the Government of Afghanistan that the suspect Mustafa Hamza was seen in the territories under the control of the Taliban movement (see annex I). This letter was referred to in paragraph I.1 (c) of Security Council document S/1996/464;

(b) A press report by the British newspaper The Guardian of 11 May 1996 regarding the involvement of the Government of Eritrea in opening and assisting military camps by Sudanese rebels in its territories to launch military attacks against the Sudan (see annex II). That report was prepared by a correspondent of the British Broadcasting Corporation (BBC) World Service and was referred to in Security Council documents S/1996/358 of 21 May 1996 and S/1996/464 of 24 June 1996, in paragraphs 3 and III (b) respectively. This press publication confirms that the Sudan has been victimized by the hostility of some of its neighbours, contrary to the false allegations against the Sudan.

As regards paragraph III (j) of document S/1996/464 on the relations between the Sudan and Egypt, I have the honour to add that the Presidents of the Sudan and Egypt met in Cairo on 23 June 1996 during their participation in the meeting of the Arab Heads of State and Government. The two Presidents agreed to open a new era in the Sudanese-Egyptian relationship and to establish mechanisms to tackle all the issues pending in their bilateral relations towards further strengthening of those relations in all fields.

The meeting held between the Presidents of the Sudan and Egypt was soon succeeded by meetings of the heads of security forces, then by the Ministers of the Interior in the two countries. These meetings will be continued in the two capitals alternately, while many practical measures have been taken in

implementation of what has been agreed upon. All such actions were meant to affirm positively the seriousness of the Government of the Sudan to combat terrorism in all its forms and manifestations.

Further, the Ministers of Information of the Sudan and Egypt met in Cairo on 28 June 1996 during their participation in the meeting of the Council of Arab Ministers of Information. The two Ministers agreed on measures to promote bilateral relations in the information and cultural fields.

Moreover, consultations and contacts have been resumed between the two countries in many other fields towards the normalization of relations.

While the peace process in the Sudan has already been started by the signature of the Peace Charter on 30 March 1996 by two rebel factions, joined later by two others, and is making tangible progress, the Sudan is looking forward to the normalization of its relations with its neighbours as an important factor in the establishment of peace in the Sudan and the region as a whole. The keenness expressed by the Sudan in maintaining relations of good neighbourliness will, it is hoped, be reciprocated by its neighbours. The Sudan calls upon Eritrea, Ethiopia and Uganda to desist from fueling the civil war in the Sudan so that peace prevails in the region and cooperation among its countries can be promoted for realizing the common goals of peace, security, prosperity and development.

I request that the present letter and its enclosures be circulated as a document of the Security Council in reference to Security Council resolution 1054 (1996).

(Signed) Ali M. O. YASSIN
Permanent Representative

Annex I

[Original: Arabic]

Letter dated 23 May 1996 from the State Minister for Foreign Affairs of Afghanistan addressed to the State Minister for Foreign Affairs of the Sudan

Some press reports, as you kindly mentioned in your message, stated that the so-called Mustafa Hamza is living in the Afghan province of Konar.

Having been informed of such reports, we directed the relevant authorities to search for and locate the above-named person with the aim of surrendering him to the parties concerned, in compliance with our policy in the Islamic State of Afghanistan to eradicate and denounce all forms of terrorism.

Our investigations indicated that the above-named person is not present in the territories under the control of the State of Afghanistan, but, according to some reports, Mustafa Hamza was seen in the territories under the control of the Taliban movement.

The Islamic State of Afghanistan, while expressing its resolve to prevent and eradicate all terrorist practices and to cooperate in this connection with the international parties concerned, would like to reiterate hereby that it will exert all efforts in order to arrest the above-named person and surrender him to the parties concerned.

Dr. Najeeb Allah LIFRA'L
State Minister for Foreign Affairs

Annex II

Press report published in The Guardian of Saturday, 11 May 1996

SUDAN FACES NEW THREAT FROM EAST

Sudanese rebels, hoping to open a new military front against Khartoum, are training in Eritrea. Peter Biles went to a camp of the Sudan Alliance Forces, led by Brigadier Abdul Aziz Khalid.

Close to the frontier town of Tesenay, in the scorching arid lowlands of western Eritrea, a rebel Sudanese training camp accommodates more than 50 fighters.

The Sudan Alliance Forces (SAF), with the direct backing of the Eritrean leadership, are intent on opening up a new military front in the north of Sudan.

"The aim is to overthrow the regime of the National Islamic Front (NIF) in Khartoum and to build a new Sudan", says Brigadier Abdul Aziz Khalid, a former Sudanese army officer now active in opposition circles in Eritrea.

The rebels, armed with Kalashnikov rifles, anti-tank weapons, and machine guns, are fired up by the name "Turabi" echoing across their parade ground. A picture of Hassan Al-Turabi, the leading Islamic ideologue in Sudan, is pinned over the bull's eye for target practice with AK-47s.

Brig. Khalid insists that there are other Sudanese military training camps in the border region of western Eritrea and that his units have already infiltrated Sudan to engage in small-scale guerrilla activity and provoke mutiny in the Sudanese armed forces. Diplomats in the region confirm one recent incident, in which a Sudanese police station near Kasala was attacked.

The rebels say their members include defectors from the Sudanese military who have brought their uniforms and weapons with them. "Khartoum is our quarter-master", Brig. Khalid jokes.

He denies that Eritrean troops have been helping to train or equip the Sudan Alliance Forces. The Eritrean President, Issaias Afewerki, says training has been provided to some Sudanese opposition groups.

A recent amateur video recording showed the leader of the southern-based Sudan People's Liberation Army (SPLA), Dr. John Garang, thanking a group of Eritrean soldiers for their assistance in training SPLA forces. The SPLA has been fighting the Khartoum regime since 1983.

"Eritrea will provide any type of support for the people of Sudan. The sky is the limit", said President Issaias. "We believe that it's an obligation on the part of Eritrea because the Sudanese people supported us during our struggle for independence."

Eritrea has not disguised its animosity towards Sudan's Islamic leaders whom it accuses of trying to destabilize the whole region with their fundamentalism.

The Eritrean leadership fears that its hard-won stability as a new independent country is being undermined by attacks in western Eritrea instigated by Khartoum.

Eritrea broke off diplomatic relations with Sudan in December 1994 and this year handed over the empty Sudanese embassy in Asmara to the National Democratic Alliance (NDA), an umbrella organization for Sudanese opposition movements from North and South Eritrea that has hosted conferences of the NDA in Asmara in an effort to create a united political front against Khartoum.

While the Sudan Alliance Forces are allowed to operate freely in western Eritrea, the Eritrean military has a significant presence of its own in the area. Tanks and anti-aircraft guns are stationed at Tesenay.

But, in spite of the increasing tension, Eritrea says talk of war is exaggerated. "We are ready to defend ourselves but we don't have any plan to attack Sudan", said the Eritrean army chief of staff, Brigadier Jebrihiwet Zemiceal.

Confirmation that Sudanese rebels are training in Eritrea may well raise the stakes as Sudan finds itself increasingly shunned by neighbours and having to spread its defenses more thinly.

The SPLA has never succeeded in carrying its war into northern Sudan, but a broader coalition of opposition forces rallied against Khartoum along Sudan's eastern flank could make a significant difference. Eritrea firmly believes that the Sudanese military is weak and dispirited and that the days of the NIF are numbered.

"Optimists would say one year ... Pessimists would say two. It's just a matter of time", said President Issaias.

Peter Biles is a correspondent for the BBC World Service.

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2 July 1996
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LETTER DATED 2 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 30 June 1996 addressed to you by Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

96-16548 (E) 030796 030796 050796

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Annex

Letter dated 30 June 1996 from the Minister for Foreign Affairs of Iraq addressed to the Secretary-General

Many countries, as well as the International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross (ICRC), are making exceptional efforts to establish new international norms with a view to reinforcing respect for international humanitarian law, given that experience has shown the wide gap that exists between its legal provisions and its application in reality. Perhaps the best indication of this is the plight of the Iraqi prisoners of war being held in Iran, some of whom have been in captivity for more than 15 years merely because of Iran's unwarranted insistence on continuing to treat them in a negative manner that is incompatible with the most elementary norms of international law. We have tried all possible ways and means of inducing Iran to discharge its obligations under the 1949 Geneva Conventions, and particularly the Geneva Convention relative to the Treatment of Prisoners of War, but to no avail. Iran also refuses to cooperate with ICRC in the performance of the functions entrusted to it under the terms of the Conventions.

On the basis of paragraph 3 of Security Council resolution 598 (1987), the Government of the Republic of Iraq requests the United Nations, in cooperation with ICRC, to bring pressure to bear on Iran with a view to devising a solution that will bring an end to the suffering of the Iraqi prisoners by securing their release and their return to Iraq. It is fully prepared to cooperate with you and with ICRC in any measures that may promote the repatriation of all those concerned, particularly since Iraq, for its own part, has discharged all of its international obligations under the 1949 Geneva Convention relative to the Treatment of Prisoners of War.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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S/1996/515
3 July 1996
ENGLISH
ORIGINAL: RUSSIAN

LETTER DATED 28 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF THE RUSSIAN FEDERATION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that, in accordance with Security Council resolution 1054 (1996), the Government of the Russian Federation has decided to reduce by one the staff of the Sudanese Embassy in Moscow. In its relations with the Sudan, the Russian Federation will be guided by the provisions of paragraph 3 of resolution 1054 (1996).

(Signed) S. LAVROV

96-16643 (E) 030796 030796 040796

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S/1996/516
3 July 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 24 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF ITALY TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Italy to the United Nations has the honour, in conformity with paragraph 3 of Security Council resolution 1054 (1996) of 26 April 1996, to inform the Secretary-General of the measures taken by the Government of Italy to implement the provisions in that paragraph.

The Government of Italy has asked the Government of the Sudan to reduce the number of its diplomats at the Sudanese Embassy in Rome by one. Sudanese diplomats remaining in Rome have been required to notify the Italian Foreign Ministry of all intended journeys outside the Lazio region.

The Government of Italy has also taken the necessary measures to restrict the entry into or transit through Italian territory of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces.

96-16649 (E) 030796 040796

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3 July 1996

ORIGINAL: ENGLISH

LETTER DATED 28 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF MALTA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I refer to your letter dated 15 May 1996 concerning the submission of a report on the steps taken by the Government of Malta to give effect to the provisions set out in paragraph 3 (a) of Security Council resolution 1054 (1996) of 26 April 1996.

I have the honour to inform you that the Sudan currently has no diplomatic or consular representation in Malta and that Malta has no diplomatic or consular representation in Khartoum. Sudanese nationals require a visa to enter or transit Malta. Furthermore, the Maltese authorities are taking all adequate measures regarding the entry into and transit through Malta of those Sudanese nationals included in the provisions set forth in paragraph 3 of the above-mentioned Security Council resolution.

(Signed) Joseph CASSAR
Ambassador
Permanent Representative

96-16655 (E) 030796 040796

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S/1996/518
3 July 1996
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ORIGINAL: FRENCH

LETTER DATED 27 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the measures taken pursuant to paragraph 3 of resolution 1054 (1996) of 26 April 1996, imposing diplomatic sanctions on the Sudan.

In accordance with a decision by the Belgian authorities, the diplomatic staff of the Sudanese Embassy in Brussels has been reduced from five to four.

The Sudanese diplomats remaining in Brussels will be required to have prior authorization from the Ministry of Foreign Affairs for any travel outside the Greater Brussels area. The Belgian Government will not participate in and will not be represented at any meetings held by international or regional organizations in the Sudan. It has also decided that it will no longer authorize members of the Sudanese Government, officials of that Government or members of the Sudanese armed forces to enter Belgium.

(Signed) Alex REYN
Permanent Representative of Belgium
to the United Nations

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3 July 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 17 JUNE 1996 FROM THE PERMANENT REPRESENTATIVE OF BELARUS TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of the Republic of Belarus to the United Nations, referring to the notes of the Secretary-General of 29 April 1996 and 15 May 1996, has the honour to advise the following.

The Republic of Belarus has no diplomatic relations with the Sudan. Nevertheless, the Ministry for Foreign Affairs of the Republic of Belarus has informed all the public bodies concerned of the necessity to restrict the entry into or transit through the territory of the Republic of members of the Government of Sudan, officials of that Government and members of the Sudanese armed forces.

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GENERAL ASSEMBLY
Fiftieth session
Agenda item 140
UNITED NATIONS DECADE OF
INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-first year

Letter dated 2 July 1996 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to request that the letter attached hereto, transmitted to Mr. Assad Kotaite, President of the Council of the International Civil Aviation Organization (ICAO), by Mr. Ricardo Alarcón de Quesada, Head of the Delegation of the Republic of Cuba to the Council meetings held in Montreal on 26 and 27 June 1996, be circulated as a document (see annex) of the General Assembly under item 140 of the agenda for the fiftieth session, and of the Security Council.

(Signed) Bruno RODRÍGUEZ PARRILLA
Ambassador
Permanent Representative

96-16769 (E) 050796 050796 060796

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ANNEX

[Original: Spanish]

Letter dated 2 July 1996 from the Head of the Delegation of Cuba to the meetings of the Council of the International Civil Aviation Organization, held in Montreal on 26 and 27 June 1996, addressed to the President of the Council

Pursuant to the provisions of paragraph 9 of the resolution adopted by the ICAO Council on 27 June 1996, which requests the contracting States to notify the Council of any violation of the rules set forth in the Convention on International Civil Aviation, I have the honour to inform you of the following.

On 25 June 1996, at 9.24 a.m., the radar system of the Republic of Cuba detected an unidentified aircraft operating in the Havana flight information region (Havana FIR) without making contact with the Havana Air Traffic Control Centre (Havana ATC).

At 10.47 a.m. Havana ATC routed a message to Miami ATC, reporting the presence of the aforesaid aircraft in the Republic of Cuba's FIR, and requesting "any available information on this flight". In its message, Havana ATC listed the coordinates, speed, heading, SSR code and point of origin of the aircraft. At 1.15 p.m., an answer was received, stating that what was involved was a "United States Government aircraft operating [with] due regard".

At 1.03 p.m., an American Airlines Boeing 747 aircraft, Flight No. AAL 2188, en route from Guatemala to Miami, was forced to depart from its route in order to avoid the danger of approaching the United States Government aircraft. At 1.06 p.m., a Boeing 767 aircraft belonging to Transporte Aéreo Internacional Salvadoreño, Flight No. TAI 310, en route from San Salvador to Miami, had to be rerouted by Cuban air traffic controllers in order to separate it from the United States aircraft, which was violating established air traffic norms and regulations.

At 4.28 p.m., a message reporting these events was routed to Miami ATC by Havana ATC. In this message, Havana ATC stated clearly that it was necessary to "coordinate these types of flights in order to avoid any incident or accident".

In the light of the foregoing, there can be no doubt that the event in question endangered civil air navigation in the region. It was not, however, a random event. During the first half of 1996 alone, six similar incidents have occurred, four of which have posed a danger to American Airlines aircraft.

In view of this new incident, we believe that it is essential to draw the attention of ICAO, and particularly of its Council, to the danger which such flights represent to the safety of air navigation and the need to prevent an air disaster in the region.

We hope that ICAO will take the necessary steps to prevent further violations of international and Cuban norms and regulations that have been enacted to ensure the orderly and safe flow of civil aviation.

I am enclosing herewith a copy of the messages exchanged by Havana ATC and Miami ATC (see appendix).

(Signed) Ricardo ALARCÓN DE QUESADA
Head of the Delegation of Cuba to
the ICAO Council meetings held on
26 and 27 June 1996

APPENDIX

[Original: English]

Text of an exchange of messages between Air Traffic Control Havana and Air Traffic Control Miami on 25 June 1996

1. Message sent at 1047 hours by Air Traffic Control Havana to Air Traffic Control Miami

At 1445 UTC 960625 we detected an unknown aircraft in the vicinity of coordinates 2310N/7800W speed 330 knots heading 100 degrees SSR code 6110 apparently proceeding from your FIR.

Request please any available information on this flight.

We appreciate your cooperation.

Thanks.

2. Reply sent at 1315 hours by Air Traffic Control Miami to Air Traffic Control Havana

Aircraft is US Government aircraft operating due regard.

3. Message sent at 1628 hours by Air Traffic Control Havana to Air Traffic Control Miami

For your information an aircraft with SSR 6110 as we know US Government aircraft due regard was flying south of 24N within Havana FIR crossing the routes B646 G765 and G448 from east to west and vice versa STOP That aircraft had no contact with Havana ATC STOP At 1715 crossed the route G765 about 40 nautical miles south-west of maximum and 10 nautical miles ahead of TA1310 B767 flying G765 northbound at FL370 STOP Pilot request was needed to deviate the TA1310 to avoid the AT TA1310 US Government aircraft STOP Cuban controllers had to separate other aircraft from the US flight STOP Is necessary coordinate this type of flight to avoid any incident or accident END

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Security Council

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S/1996/521
5 July 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 1 JULY 1996 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to refer to operative paragraph 2 of resolution 1063 (1996) of 28 June 1996, in which the Security Council decided to establish the United Nations Support Mission in Haiti (UNSMIH).

Following the customary consultations, I propose, with the agreement of the Council, to appoint Brigadier J. R. P. Daigle (Canada) as Commander of the military component of this Mission.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(Signed) Boutros BOUTROS-GHALI

96-16804 (E) 050796 050796 060796

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S/1996/522
5 July 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 5 JULY 1996 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to inform you that your letter dated 1 July 1996 (S/1996/521) regarding your intention to appoint Brigadier J. R. P. Daigle of Canada as Force Commander of the military component of the United Nations Support Mission in Haiti (UNSMIH) has been brought to the attention of the members of the Security Council.

They agree with the proposal contained in your letter.

(Signed) Alain DEJAMMET
President of the Security Council

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UNITED NATIONS **S**

Security Council

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S/1996/523
5 July 1996

ORIGINAL: ENGLISH

LETTER DATED 3 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

In the context of the Security Council's continuing consultations regarding the International Tribunal for the Former Yugoslavia established pursuant to resolution 827 (1993), I would like to bring to the Security Council's attention the enclosed English translation of a law passed by the self-appointed and de facto assembly of the Republika Srpska (which is now under the control of Karadžić's agents and the extremist Serbian Democratic Party (SDS)), an entity of Bosnia and Herzegovina, which creates its own war crimes tribunal (see annex). I bring this document to the Council's attention because of the destructive message this "law" sends to the international community and to the people of Bosnia and Herzegovina.

By establishing their own "war crimes tribunal" the de facto authorities of the Serb entity are directly and shamefully flouting the will of the international community and disavowing the legitimacy of the Statute of the Tribunal in The Hague, the legitimacy of the Tribunal itself and, ultimately, the legitimacy of the authority of the Security Council and of the United Nations.

The message this sends to the people of Bosnia and Herzegovina is that in the Serb entity, Republika Srpska, of Bosnia and Herzegovina, the rule of law does not exist, that the status quo of impeding freedom of movement, the return of refugees and other vital aspects of the Dayton/Paris Accords is maintained and that reconciliation is impossible.

This legislation also is, of course, an overt violation of the letter and spirit of the Dayton/Paris Agreement.

May I ask for your kind assistance in circulating the present letter and its annex as a document of the Security Council.

(Signed) Muhamed SACIRBEY
Ambassador
Permanent Representative
Special Envoy

Annex

Law on a Special Court for War Crimes

Article 1

A Special Court for War Crimes (hereafter "Special Court") shall be set up for individuals, citizens of the Republika Srpska, against whom criminal proceedings have been initiated at the Tribunal in The Hague.

Article 2

Proceedings before the Special Court shall be conducted in compliance with the provisions of the Statute of the Tribunal in The Hague.

Article 3

The Special Court shall have a President and five (5) judges elected by the National Assembly.

Article 4

The prosecutors of the Tribunal in The Hague are hereby authorized to appear before the Special Court representing the charges brought by the Tribunal in The Hague.

Article 5

The seat of the Special Court shall be in Serbian Sarajevo.

Article 6

This law shall enter into force on the day it is passed and shall be published in the Official Gazette of the Republika Srpska.

Number:

Date:

Momcilo KRAJISNIK
Chairman of the National Assembly

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5 July 1996
ENGLISH
ORIGINAL: FRENCH

LETTER DATED 2 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF LUXEMBOURG TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the measures taken by the Government of Luxembourg pursuant to paragraph 3 of resolution 1054 (1996) of 26 April 1996, imposing diplomatic sanctions on the Sudan:

The Government of Luxembourg has taken steps to restrict the entry into and transit through the territory of the Grand Duchy of Luxembourg of members of the Government of the Sudan, officials of that Government and members of the Sudanese armed forces.

At the request of the Government of Luxembourg, the diplomatic staff of the Sudanese Embassy accredited to Luxembourg (residing in Belgium) will be reduced from five to four.

The Government of Luxembourg has taken measures to require prior authorization by the diplomatic staff of the Sudanese Embassy for any entry into or travel within the territory of Luxembourg.

(Signed) Jean-Louis WOLZFELD
Ambassador
Permanent Representative of
Luxembourg to the United Nations

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GENERAL ASSEMBLY
Fiftieth session
Agenda item 140
UNITED NATIONS DECADE OF
INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-first year

Letter dated 3 July 1996 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to request that the annexed letter, from Mr. Ricardo Alarcón de Quesada, head of the Cuban delegation to the Meeting of the Council of the International Civil Aviation Organization (ICAO) held on 26 and 27 June 1996 in Montreal, addressed to Mr. Assad Kotaite, President of the ICAO Council (see annex), be issued as an official document of the fiftieth session of the General Assembly, under agenda item 140, and of the Security Council.

(Signed) Bruno RODRÍGUEZ PARRILLA
Ambassador
Permanent Representative

96-16835 (E) 080796 080796 090796

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ANNEX

[Original: English and Spanish]

Letter dated 30 June 1996 from the head of the Cuban delegation to the Meeting of the Council of the International Civil Aviation Organization (ICAO) held on 26 and 27 June 1996 in Montreal addressed to the President of the ICAO Council

Last 13 June, we forwarded to you some information on the preparation of a so-called "flotilla" whose organizers had made public in a press conference in Miami their plans to send aircraft from an airport located in the United States of America for the purpose of violating the territory and sovereignty of the Republic of Cuba next 13 July (see A/50/979-S/1996/448, annex).

Subsequently we learned that the United States authorities were aware of these preparations since this matter had been dealt with in a 6 June letter written by Ms. Anne W. Patterson, Senior Assistant to the Under-Secretary of State for Inter-American Affairs, to the organizers of this activity.

On the basis of what was stated in operative paragraph 9 of the resolution adopted by the ICAO Council, where the contracting States are requested to report at any time to the Council any infraction of the above-mentioned rules contained in the Convention on International Civil Aviation, we officially reiterate this information and again request that you inform the Council of the particulars, including our 13 June letter.

Likewise, we reiterate our view that, in the face of this situation and in order to avert another incident, ICAO should take resolute and firm action.

(Signed) Ricardo ALARCÓN DE QUESADA
Head of the Cuban Delegation to the
Meeting of the ICAO Council

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GENERAL ASSEMBLY
Fiftieth session
Agenda item 44
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-first year

Letter dated 5 July 1996 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government and further to our earlier letters concerning Israel's repeated attacks on southern Lebanon and the western Bekaa and the arbitrary practices against the local inhabitants in which it engages on a daily basis, I have the honour to notify you of the series of such incidents that took place in the first half of June 1996.

2 June 1996

At 0800 hours an Israeli gunboat intercepted a number of fishermen off Qulaylah, Tyre, and opened fire on them with a view to intimidating them. It rammed a fishing boat with three civilians on board, causing serious damage to the boat.

6 June 1996

At 1910 hours the outskirts of Ayn Bu Siwar, Jba', Kafr Fila and Wadi Kafra came under artillery fire from Israeli positions in the border strip.

7 June 1996

At 0530 hours the outskirts of Arabsalim, Mlita and Jabal Safi and areas along the Zahrani River came under Israeli artillery fire.

10 June 1996

Outlying areas of towns in the Nabatiyah and Bint Jubayl areas came under artillery fire.

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At 0830 hours, in the Israeli shelling of towns in the Nabatiyah area, Sergeant Nash'at Ali Mahmud of the Lebanese Army was killed and Ali Nasib Farahat was wounded while they were driving in the latter's car on the Habbush-Arabsalim highway. The car was badly damaged. The home of Kamil Abd al-Husayn Muruwwah was also damaged in the shelling.

At 1500 hours the outskirts of Frun, Ghanduriyah and Qabrikha came under Israeli artillery fire.

11 June 1996

At 2145 hours Israeli helicopters overflew the Iqlim al-Tuffah area at low altitude.

12 June 1996

At 1205 hours the outskirts of Kafr Tibnit and Nabatiyah al-Fawqa and the vicinity of the abandoned Lebanese Army barracks came under machine-gun fire from Israeli positions in the hills opposite. Flares were then fired. Israeli helicopters overflew the Nabatiyah area at low altitude.

At 0705 hours Israeli warplanes overflew the Nabatiyah area at medium altitude and carried out mock attacks.

13 June 1996

At 1630 hours the outskirts of Luwayzah, Mlikh, Ayn Bu Siwar and Arabsalim and areas along the Zahrani River came under Israeli artillery fire. This was accompanied by low-altitude overflights of the Iqlim al-Tuffah area by Israeli warplanes.

15 June 1996

An explosive charge was detonated on a dirt road in the town of Hula, killing three children. They were: Hamamah Ahmad Ali Husayn; Taghrid Sami Qatish; and Muhammad Talal Jawad. Israeli forces also imposed a security blockade on the location.

16 June 1996

At 1025 hours an artillery shell fired from an Israeli gun fell in the outskirts of Jun in the Shuf district.

Israel's persistent refusal to implement Security Council resolution 425 (1978) and its continued occupation of Lebanese territory are perpetuating the cycle of violence and causing increased casualties among local inhabitants, particularly children and women. The Lebanese Government strongly condemns the continued Israeli occupation, the fresh attacks and the arbitrary practices against the Lebanese population, which have caused further deaths and injuries and have inflicted further serious damage to property.

Like previous attacks, this new series is in flagrant violation of the sovereignty and independence of Lebanon and constitutes a breach of the purposes and principles of the Charter of the United Nations, of international law and of basic human rights.

I should be grateful if you would have this letter circulated as a document of the fiftieth session of the General Assembly, under agenda item 44, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1996/527
8 July 1996

ORIGINAL: ENGLISH

LETTER DATED 8 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF GEORGIA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a copy of the letter dated 6 July 1996 from His Excellency Mr. Eduard Shevardnadze, President of Georgia, addressed to you concerning the present situation in Abkhazia, Georgia.

The original of the letter will be forwarded to Your Excellency as soon as possible.

May I ask your kind assistance in circulating the text of the present letter and its annex as a document of the Security Council.

(Signed) Dr. Peter CHKHEIDZE
Ambassador Extraordinary
and Plenipotentiary
Permanent Representative

96-16904 (E) 080796 090796

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Annex

Letter dated 6 July 1996 from the President of Georgia addressed to the President of the Security Council

I am compelled once more to draw the attention of the members of the Security Council to the conflict in Abkhazia. Despite vigorous efforts on the part of the Secretary-General and the Security Council, the current situation seems likely to remain frozen for years. I have on more than one occasion addressed the Security Council on this issue. On 9 March 1994, I spoke at the session of the Council about the urgent situation threatening a member of the United Nations with forcible dismemberment and calling for a similarly urgent response.

Despite this, in the fourth year of the conflict, I still feel it is my responsibility to reaffirm my position. Given the character of current international relations, the changed world order, or even from the standpoint of mere humaneness, the rampant ethnic cleansing conducted by the Abkhaz separatists is impossible to tolerate. This has already claimed the lives of 3,834 Georgian civilians while almost 300,000 (of which 260,000 are ethnic Georgians) have been driven from their homes. As a result many of the forcibly vacated residences are now occupied by mercenary assassins and marauders from the North Caucasus and other neighbouring regions. Particularly enraging is the fact that the Abkhaz leadership continues to link the unconditional return of the displaced to political issues. Thus, universally recognized human rights continue to be trampled with impunity.

Apart from the shocking human tragedy, the protracted conflict remains a heavy burden on the shoulders of Georgia, seriously hampering its economic recovery and market reforms and exacerbating social tensions. Furthermore, the scale of the conflict jeopardizes peace and security in the entire Caucasus, affecting our immediate neighbours. On the one hand, similar criminal regimes are materially and morally nourished, and on the other, the vital transportation and communication functions of the region are blocked.

The Georgian State has nevertheless chosen and consistently implemented a policy of peaceful resolution of the conflict. Our first attempt was the 3 September 1992 agreement under which the territorial integrity of Georgia, cessation of hostilities and the restoration of normal functions of State structures was secured, among other things. The Abkhaz separatists treacherously violated that agreement as well as all others. This resulted in the fall of Gagra and Sukhumi, and eventually the expulsion of the Georgian population from Abkhazia.

Even under those grave circumstances, we never shut the door on negotiations - a fact reflected in the 13 resolutions adopted by the Security Council. In order to sustain the peace process, we, in fact, concluded several agreements containing concessions prompted by the gravity of the situation. More favourable conditions for the timely and fair resolution of the conflict were created by the adoption by Georgia of a federal State model. The new Constitution intentionally leaves certain details with regard to the federal

system unelaborated so that the eventual arrangement may incorporate Abkhaz interests within a federal State. I have publicly declared, and would like to reiterate, that Abkhazia as a federal subject will be granted wide-ranging rights compatible with international legal standards. These include broad autonomy, a parliament and a supreme court guaranteed by both an Abkhaz and the federal constitution, as well as such attributes of statehood as a flag, emblem and an anthem. Earlier this year, I outlined the above in a letter to the previous President of the Security Council.

Regrettably, the process of resolving this conflict is increasingly becoming a one-way street. The Secretary-General himself has admitted that the peace process in Abkhazia has met an impasse, since the people driven from their ancestral homes cannot remain indefinitely in their current situation. Meanwhile the separatist regime obstinately clings to the role of a victor. As they bask in their apparent immunity, the separatists ignore every document they themselves have signed as well as all appeals of the Security Council.

Allow me to remind the members of the Security Council that in the final document of the Organization for Cooperation and Security in Europe (OSCE) Summit held at Budapest, the activities of the separatists were appropriately named. The participating States "expressed their deep concern over 'ethnic cleansing', the massive expulsion of people, predominantly Georgian, from their living areas and the deaths of large numbers of innocent civilians". 1/ A clear and principled attitude was also expressed by the 1995 Commonwealth of Independent States (CIS) Summit held at Almaty, which adopted a memorandum on full isolation of aggressive separatism as a phenomenon. The CIS Summit held in Moscow on 19 January 1996 supported the Georgian Government and declared a blockade (economic, political, military and other) against the separatist leadership.

There is every indication that the persuasion-based methods for resolving this conflict are all but exhausted. This does not at all mean that we must abandon the course of negotiations. Quite on the contrary, we must invigorate the process. The shortest route to settling the conflict, however, is to employ tactics of peaceful coercion, without which all calls for common sense and justice will no longer be of any use. It is our hope that the new resolution of the Security Council will be the final warning to the criminal regime to come to its senses and comply in short order with the international will. We also firmly believe that the Security Council will duly understand the efforts of a State Member of the United Nations to have all possible internationally accepted means applied in order to put an end to the attempt to undermine its territorial integrity.

(Signed) Eduard SHEVARDNADZE

Notes

1/ See A/49/800-S/1994/1435, annex, chap. II, p. 20.

UNITED
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General Assembly
Security Council

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GENERAL

A/51/190
S/1996/528
8 July 1996

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-first session
Item 43 of the preliminary list*
THE SITUATION IN BURUNDI

SECURITY COUNCIL
Fifty-first year

Letter dated 5 July 1996 from the Permanent Representative of Ireland to the Untied Nations addressed to the Secretary-General

I have the honour to transmit to you herewith a declaration which was issued on 5 July 1996 by the Presidency on behalf of the European Union concerning the recent Arusha Summit on Burundi.

I would be grateful if you could have the text of the present letter and its annex circulated as an official document of the General Assembly, under item 43 of the preliminary list, and of the Security Council.

(Signed) John H. F. CAMPBELL
Ambassador
Permanent Representative

* A/51/50.

96-16894 (E) 090796 100796

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ANNEX

Declaration by the Presidency dated 5 July 1996 on behalf of the European Union concerning the Arusha Summit on Burundi

1. Recalling its declaration of 20 June 1996 (A/51/173-S/1996/469), the European Union congratulates President Mkapa on the organization of the Arusha Regional Summit, which has produced constructive proposals on the conflict in Burundi. It expresses appreciation of the untiring efforts of former President Nyerere and reiterates its support for his peace initiative.

2. The European Union encourages the region's heads of State and the Organization of African Unity (OAU) to commit themselves resolutely to supporting and giving substance to the Arusha recommendations and to contribute to the restoration of security in Burundi.

3. The European Union expects the President and the Prime Minister of Burundi to fulfil the undertakings they gave at the Summit to overcome the crisis in Burundi and, with the help of the countries of the region, to put an end to the violence which is destroying the people of Burundi.

4. The European Union calls upon all the political forces of Burundi to seek a political solution and to give a favourable reception to regional initiatives to restore peace to their country. It calls the attention of all parties to the conflict in Burundi to the fact that it condemns all forms of violence and that it will not recognize a Government that has taken power by force of arms. Only peace, a peace consolidated at the regional level, can guarantee the security of all and lay the foundations for economic and social development.

5. The European Union is prepared to support the realization of the Arusha objectives with a view to restoring peace and security in Burundi. It reiterates its readiness to help Burundi in its economic and social recovery when political and security conditions make it possible to begin its rehabilitation.

6. The European Union reiterates the need to convene the Conference on Peace, Security and Stability in the Great Lakes Region under the joint aegis of the United Nations and OAU.

UNITED
NATIONS

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Security Council

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GENERAL

S/1996/529
8 July 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 8 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you that violations of Iraq's airspace by United States, British and French aircraft continued over the period 16-30 June 1996 and that the aircraft in question carried out reconnaissance and engaged in acts of provocation. The details are as follows:

1. In the northern region 65 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Mosul, Irbil, Dohuk, Zakho, Aqrah, Amadiyah, Tall Afar and Ayn Zalah.

2. In the southern region 540 sorties were flown at speeds of 600 to 900 kilometres per hour and at altitudes of 6,000 to 9,000 metres, over the following Iraqi cities and towns: Nasiriyah, Samawah, Jalibah, Artawi, Busayyah, Qurnah, Chabaish, Hamzah, Basra, Salman, Amarah, Lasaf, Ushbayjah, Rumaythah, Shu'aybah, the area to the east of Lasaf and the area to the south of Nasiriyah.

3. On 14 occasions United States TR-1 reconnaissance aircraft flying at speeds of 600 kilometres per hour and at altitudes of 20,000 metres violated the Republic of Iraq's airspace in the southern region before leaving in the direction of Kuwait.

4. United States-Jordanian aerial activity inside Iraqi airspace consisted of 14 sorties over the area to the south-west of Salman, Lasaf, the area to the north of Lasaf and the area to the north of Amghar.

You are requested to intervene with the countries in question with a view to bringing a halt to actions that, as flagrant violations of the Charter of the United Nations and the norms of international law, pose a threat to the sovereignty and territorial integrity of the Republic of Iraq.

These actions continue to alarm the civilian population and to cause serious damage to private and public property. The Republic of Iraq affirms its right to seek legal compensation for the damage being inflicted on the Iraqi people and the Iraqi State.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/530
9 July 1996

ORIGINAL: ENGLISH

NOTE VERBALE DATED 2 JULY 1996 FROM THE UNITED STATES MISSION TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The United States Mission to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour, in conformity with paragraph 6 of Security Council resolution 1054 (1996) of 26 April 1996, to inform him of the measures taken by the United States to implement the provisions in paragraph 3 of the resolution.

The United States informed the Embassy of the Sudan in Washington on 10 May that its Attaché (Information) must depart from the United States. The United States also informed the Permanent Mission of the Sudan to the United Nations that it could not replace the employee expelled by the United States on security grounds in April 1996 or otherwise increase its diplomatic staff from its current level. The United States has informed the United Nations Legal Counsel of the foregoing requirement.

On 10 May, the United States also informed the Embassy of the Sudan that the diplomats and staff remaining in Washington would be required to notify the United States Government 48 hours in advance of any travel outside a 25-mile radius from the White House. Similarly, Sudanese diplomats and staff assigned to the Permanent Mission of the Sudan to the United Nations are required to notify the United States Government 48 hours in advance of any travel outside a 25-mile radius from Columbus Circle in Manhattan.

The Government of the United States is currently preparing to change its regulations concerning the granting of United States entry visas to officials or members of the Sudanese Government or armed forces. When this action is completed, the United States will inform the Secretary-General.

The United States has informed the Government of the Sudan that it reserves the right to take additional measures in conformity with resolution 1054 (1996) in the event that the Sudan does not meet its obligations under Security Council resolution 1044 (1996).

96-17002 (E) 090796 100796

UNITED
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Security Council

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GENERAL

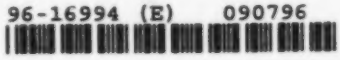
S/1996/531
9 July 1996
ENGLISH
ORIGINAL: CHINESE

NOTE VERBALE DATED 2 JULY 1996 FROM THE PERMANENT MISSION OF CHINA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the People's Republic of China to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honour to inform the latter as follows:

Since the adoption of Security Council resolution 1054 (1996), the Government of China has implemented the relevant provisions of the said resolution.

96-16994 (E) 090796 100796



UNITED
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General Assembly
Security Council

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A/50/994
S/1996/532
9 July 1996
ENGLISH
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GENERAL ASSEMBLY
Fiftieth session
Agenda item 140
UNITED NATIONS DECADE OF
INTERNATIONAL LAW

SECURITY COUNCIL
Fifty-first year

Letter dated 4 July 1996 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to request that the enclosed letter from Mr. Ricardo Alarcón de Quesada, head of the delegation of the Republic of Cuba to the Meeting of the Council of the International Civil Aviation Organization (ICAO) held in Montreal on 26 and 27 June 1996, addressed to Mr. Assad Kotaite, President of the ICAO Council (see annex), be circulated as an official document of the fiftieth session of the General Assembly, under agenda item 140, and of the Security Council.

(Signed) Bruno RODRÍGUEZ PARRILLA
Ambassador
Permanent Representative

96-17017 (E) 110796 110796 120796

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ANNEX

[Original: English and Spanish]

Letter dated 4 July 1996 from the Head of the Cuban delegation to the Meeting of the Council of the International Civil Aviation Organization, held in Montreal on 26 and 27 June 1996, addressed to the President of the Council

In the letter which I sent to you on 2 July 1996 (see A/50/990·S/1996/520, annex), I informed you of the dangerous, unauthorized and uncontrolled flight effected for several hours in the Havana flight information region (Havana FIR) by an aircraft which Miami Air Traffic Control (ATC) identified as belonging to the United States Government.

In my letter, written pursuant to paragraph 9 of the resolution adopted by the Council of the International Civil Aviation Organization (ICAO) on 27 June, I asked that appropriate measures be taken to prevent any further violations and thereby avoid the serious risks which they would create for civil aviation in the region. I also indicated that most of the civilian aircraft endangered by these United States Government flights are United States aircraft.

It is therefore disturbing to note the irresponsible and superficial way in which the United States authorities have reacted to this complaint. While on 3 July the spokesman for the Department of State described the complaint as "laughable", that same day the United States Secretary of Transportation, Mr. Federico Peña, claimed to have no information about such violations.

These statements by United States officials constitute an explicit acknowledgement of that country's failure to comply with its obligations under the Chicago Convention and an outrageous lack of respect for the safety of hundreds of passengers, most of them citizens of the United States, whose lives were endangered.

The statements by Mr. Peña are absolutely unfaithful to the truth. They are thus unacceptable and must be rejected. As pointed out in my letter of 2 July, the first step taken by the Cuban authorities in the morning of 25 June was precisely to inform the United States authorities. Can one really believe that one week later Mr. Peña had not learned of the incident? Was he also unaware of the communication which the Administrator of the Federal Aviation Administration (FAA) had received 48 hours before his frivolous comment?

In order to refresh the memory of the Secretary of Transportation allow me to review a number of previous incidents which occurred this year:

On 13 February, at 8.50 a.m., on 22 February, at 11.47 a.m. and on 3 April at 8.49 a.m., aircraft of the United States company American Airlines encountered in their path and dangerously crossed aircraft of the United States Government flying within the Havana FIR without authorization or coordination, in clear violation of ICAO norms and procedures. On these three days, other incidents which posed a danger to commercial aircraft occurred. All these

incidents were promptly brought to the attention of the United States authorities, to whom it was necessary on some occasions to send several messages, for example, four on 22 February, all relating to the dangerous situation in which the American Airlines flight had been placed.

If the United States Secretary of Transportation was not informed in a timely manner by his subordinates, if he is unconcerned about the lives of his fellow citizens, and if the spokesmen for the Department of State find both these matters laughable, these are things for which they must answer to their own people. However, such conduct can cause serious harm to international civil aviation and result in incidents which ICAO should prevent. I therefore reaffirm the necessity of stopping violations of the Convention such as those referred to in this and my previous letter.

I am enclosing a copy of the letter from the Vice-President of the Civil Aeronautics Institute of Cuba addressed to the Administrator of FAA on 1 July 1996 (see appendix).

I request that this letter and its appendix be circulated to all members of the ICAO Council.

(Signed) Ricardo ALARCÓN de QUESADA
Head of the Cuban delegation
to the ICAO Council

APPENDIX

Letter dated 1 July 1996 from the Vice-President of the Civil Aeronautics Institute of Cuba addressed to the Administrator of the Federal Aviation Administration of the United States

The purpose of this note is to bring to your attention violations of Cuban and international aviation law committed by aircraft of the United States Government in the Flight Information Region of the Republic of Cuba.

On 25 June 1996, an aircraft of the United States Government operating in the Havana Flight Information Region (Havana FIR) without having made contact with the Havana Air Traffic Control Centre (Havana ATC) endangered aviation in the region.

The competent Cuban aeronautical authorities promptly informed Miami Air Traffic Control of the flight of the aircraft and received the reply: "[it] is a United States Government aircraft operating [with] due regard".

In order to avoid a dangerous approach, the American Airlines flight (AAL 2188) had to evade the United States Government aircraft and at the request of the pilot of a Boeing 767 (flight TAI 310), en route from San Salvador to Miami, Cuban air traffic controllers had to divert that aircraft in order to separate it from the violating aircraft.

Situations such as these, which jeopardize the safety of civil aviation within the flight information region of the Republic of Cuba, have occurred approximately 7,719 times since 27 October 1960, when United States Government aircraft have operated in a similar manner, thereby establishing the pattern in these actions.

The Government has proof of these violations of our aviation laws and of the regulations of the International Civil Aviation Organization (ICAO). Several of these violations have been recognized by specialized publications such as Aviation Week and Space Technology, which in its 26 September 1994 issue referred to a flight having such characteristics by a United States RC-135 "Rivet Joint" military aircraft.

In our contacts with the aviation authorities of the agency which you direct, we have, on several occasions, expressed our concern over these situations, but no solution to this important issue has been found.

As proof of what happened on 25 June 1996, I am enclosing with this letter a record of the procedures followed by Havana Air Traffic Control, which I am also transmitting to the President of ICAO.

In view of this new incident, we wish to emphasize the risk created by such unauthorized flights of an air disaster in the region.

We expect that appropriate measures will be taken to prevent any further violations of international aviation laws and the aviation laws of the Republic of Cuba.

(Signed) Argimiro OJEDA VIVES
Vice-President

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Security Council

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S/1996/533
9 July 1996
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 9 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 6 July 1996 from Mr. Mohammed Said Al-Sahaf, Minister for Foreign Affairs of the Republic of Iraq, concerning violations of Iraq's airspace committed by United States aircraft between 1 January and 30 June 1996.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

96-17046 (E) 100796 100796 120796

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Annex

Letter dated 6 July 1996 from the Minister for Foreign Affairs of Iraq addressed to the President of the Security Council

I should like to refer to my letter of 28 January 1996 (S/1996/64, annex), in which I gave detailed information on the hostile actions undertaken by United States and other aircraft while violating Iraqi airspace from military bases in Saudi Arabia and Kuwait between 1 July and 31 December 1995. That letter also gave examples of provocative actions carried out by United States and other warships inside the territorial waters of the Republic of Iraq during the same period.

I should like in the present letter to alert you to the fact that between 1 January and 30 June 1996 United States and other warplanes continued to violate the airspace of the Republic of Iraq from military bases in Saudi Arabia, Kuwait and Jordan and to engage in such hostile, provocative and inflammatory actions as breaking the sound barrier in civilian areas and over civilian installations, dropping heat flares on cultivated land and crops, and dropping inflammatory leaflets. A number of warships also provoked Iraqi civilian vessels inside Iraqi territorial waters. These incidents, examples of which are set forth hereunder, were reported and documented by us at the time they first occurred.

1. At 1225 and 1258 hours on 26 April in northern Iraq a formation of United States aircraft dropped 15 heat flares 20 kilometres south of Dohuk, 10 heat flares 20 kilometres to the east of Saddam Dam and another 10 heat flares in the Qush area of Ninawa Governorate.

2. At 1400 hours on 26 April a United States warplane dropped a metallic object on a cultivated area in the village of Karfush in Dohuk Governorate in northern Iraq. The object consisted of a highly combustible phosphorous compound weighing 1.5 kilograms and caused damage to the location in which it fell.

3. At 0920 hours on 27 April a United States aircraft dropped hostile leaflets in the Dayr area of Basra Governorate in southern Iraq.

4. Between 0830 and 1005 hours on 28 April four United States helicopters coming from Kuwaiti airspace dropped hostile and inflammatory leaflets in civilian areas of Basra and Safwan, in the Kutayban and Nashwah areas of Basra Governorate and on Basra International Airport. They then returned in the direction of Kuwaiti airspace.

5. On the morning of 28 April a black United States warplane violated Iraqi airspace coming from Kuwait. It dropped large quantities of hostile and inflammatory leaflets in civilian areas of southern Iraq.

6. At 1200 hours on 30 April United States warplanes dropped hostile and inflammatory leaflets in residential areas in Shalash and Shahlat al-Hasan. Some of them fell in the Shatt al-Arab in Basra Governorate.

7. At 1217 hours on 2 May and 1022 hours on 5 May a United States formation broke the sound barrier in the Salman area of southern Iraq.

8. At 1235 hours on 25 May a United States formation consisting of two aircraft dropped 10 heat flares 5 kilometres south of the Qush area, which is to the north of Mosul.

9. At 2235 hours on 5 June a United States formation dropped a heat flare in the Nashwah area in Basra Governorate, two heat flares on Chabaish, two heat flares in the Suq al-Shuyukh area and one heat flare to the south-west of Nasiriyah in Dhi Qar Governorate.

We condemn these acts of aggression and provocation by the United States and others, and we request you to intervene with the countries in question, as is required of you in accordance with the responsibility entrusted to you under the Charter of the United Nations, with a view to halting these violations and these unwarranted acts of aggression. The countries in which the aircraft are based and those whose aircraft and ships carry out these acts are to be held fully accountable for them, for the damage they cause and for the threats of a security-related, economic and moral nature that they pose to Iraq and the Iraqi people.

I likewise affirm the legally established right of the Republic of Iraq to compensation for the material and other damage inflicted on it by the commission of acts that are in violation of the Charter of the United Nations and the provisions of international public law, in accordance with the principle of international responsibility.

(Signed) Mohammed Said AL-SAHAF
Minister for Foreign Affairs
of the Republic of Iraq

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Security Council

Distr.
GENERAL

S/1996/534
10 July 1996
ENGLISH
ORIGINAL: ARABIC

NOTE VERBALE DATED 3 JULY 1996 FROM THE PERMANENT MISSION OF EGYPT ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Mission of the Arab Republic of Egypt to the United Nations presents its compliments to the Secretary-General of the United Nations and, with reference to the Secretary-General's note No. SCA/2/96 (8) of 29 April 1996, has the honour to report the following measures taken by the Government of the Arab Republic of Egypt in compliance with the provisions of Security Council resolution 1054 (1996):

1. The Embassy of the Sudan in Cairo has been notified of the reduction of its staff by three persons who were to leave Cairo before 1 July 1996.

2. The movement of members of the staff of the Embassy of the Sudan has been restricted to an area within greater Cairo; prior authorization must be obtained from the Egyptian Ministry of Foreign Affairs for travel outside that area.

3. Entry visas are to be made compulsory for all types of Sudanese passports.

4. Restrictions have been placed on the entry and movement of Sudanese senior officials, civil servants and military personnel.

96-17031 (E) 100796 100796 110796

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1996/535
10 July 1996

ORIGINAL: ENGLISH

LETTER DATED 8 JULY 1996 FROM THE PERMANENT REPRESENTATIVE OF GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to inform you that the Organization of the Islamic Conference (OIC) Contact Group on Bosnia and Herzegovina, at its meeting held on 3 July 1996, examined the letter dated 2 July 1996 addressed to you by the Permanent Representative of Bosnia and Herzegovina to the United Nations (S/1996/510). While fully endorsing the contents of that letter, the Contact Group expresses its serious concern over the continuing presence and political roles of Radovan Karadžić, Ratko Mladić and other individuals indicted by the International Tribunal for the former Yugoslavia at The Hague for crimes against international humanitarian law in Bosnia and Herzegovina, which is a violation of the letter and the spirit of the Dayton/Paris Accords and of relevant Security Council resolutions.

The Dayton/Paris Agreement specifically compels all the parties to the Agreement to fully cooperate with the Tribunal. Annex 4, article II, paragraph 8 of the Agreement states: "All competent authorities in Bosnia and Herzegovina shall cooperate with ... the International Tribunal for the former Yugoslavia (and in particular shall comply with orders issued pursuant to article 29 of the Statute of the Tribunal)", which legally binds the parties to the agreement to arrest and to surrender those indicted to the Tribunal at The Hague. Annex 4, article IX, paragraph 1, of the Agreement further states that "... no person who is under indictment by the Tribunal and who has failed to ... appear before the Tribunal, may stand as a candidate or hold any appointive, elective, or other public office in the territory of Bosnia and Herzegovina."

The OIC Contact Group underlines that the Republika Srpska, an entity of Bosnia and Herzegovina, and the Federal Republic of Yugoslavia, comprised of Serbia and Montenegro, have not carried out their obligations under the Dayton/Paris Agreement and numerous Security Council resolutions, specifically resolutions 827 (1993), 1031 (1995) and 1034 (1995), in which the Council demands full cooperation with the orders of the Tribunal. The Group also stresses that article 29 of the Statute of the Tribunal, established under Chapter VII of the Charter of the United Nations, legally compels all States to detain and to surrender accused persons to the International Tribunal at The Hague; this obligation also rests on all the parties to the Agreement, including the Federal Republic of Yugoslavia.

Under the present circumstances, the free and fair democratic elections envisioned to be held on 14 September 1996 could be in jeopardy owing to the continuing presence in the area of these most notorious indicted war criminals who have shown themselves to be committed not to reconciliation but to division. The removal of war criminals from positions of nominal political power is not enough. Indeed, their apprehension and extradition, as mandated by the letter and spirit of the Dayton/Paris Accords, by the authority of the Security Council and article 29 of the Statute of the Tribunal, are absolutely necessary for free and fair democratic elections, reintegration, reconciliation and peace in Bosnia and Herzegovina.

In view of this extremely serious situation which endangers the peace now at hand in Bosnia and Herzegovina, and which could consequently pose a serious threat to international peace and security, the OIC Contact Group strongly urges the Security Council: (1) to impose sanctions on those parties which do not fully cooperate or comply with the Tribunal or its orders with a view to ensuring full implementation of the Dayton/Paris Accords as well as the relevant Security Council resolutions; (2) to seek the apprehension, arrest and extradition to The Hague of those individuals such as Karadžić, Mladić and other indicted war criminals by the multinational implementation force (IFUR); and (3) to declare that legal, free and fair elections cannot be held before the apprehension of these indicted war criminals and their extradition to The Hague.

Lastly, the OIC Contact Group takes note of and commends the full cooperation of the Government of Bosnia and Herzegovina, the only party to the Agreement to fully cooperate with the Tribunal, in carrying out its obligations to the Tribunal in the areas of Bosnia and Herzegovina under the control of the Government.

I would appreciate it if the text of the present letter could be circulated as a document of the Security Council.

(Signed) Mahawa Bangoura CAMARA
Ambassador and Permanent Representative
Chairperson of the Organization of the
Islamic Conference